THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21949 of 2006

Dated: 23-10-2006

Between:

E. Narasimha.

..... PETITIONER

AND

The Mandal Revenue Officer, Hayathnagar, Ranga Reddy District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.21949 of 2006

ORDER:

The petitioner was assigned land admeasuring Ac.1.21 guntas in survey No.244/56 situated at Pedda Amberpet Village of Hayathnagar Mandal in 1980. He is allegedly cultivating the land. He alleges that he has also raised a residential shed on the land and living there. On 09-10-2006, respondent No.2 allegedly visited the site and directed the petitioner not to raise construction, while the petitioner took up pucca construction two weeks prior to the visit of respondent No.2. He also alleges that respondent No.2 again came on 12-10-2006 along with respondent No.3 and demolition squad, and tried to demolish the existing structures. Therefore, he filed instant writ petition seeking a writ of Mandamus declaring the action of the respondents in demolishing house constructed by him in the said land.

At the stage of preliminary hearing itself, the learned Assistant Government Pleader for Revenue (General-T) has obtained instructions. He submits that the land was assigned for the purpose of agriculture and as the petitioner tried to make construction on the land, the revenue staff objected for such conversion and that the other allegations made in the writ petition are not correct and are false. Therefore, this Court holds that the writ petition is filed on making false allegations. However, it is observed that if the assignment of the land to the petitioner is to be cancelled for contravention of the conditions of assignment, the petitioner is entitled for notice before such cancellation.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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V.V.S.RAO, J

23rd October, 2006
ghn